GOVERNOR'S COUNCIL FOR HUMAN SERVICES

REPORT
OF
COMMITTEE TO REVIEW CURRENT POSITION
STATEMENTS AND LEGISLATIVE PROPOSALS OF
ORGANIZATIONS INTERESTED IN CORRECTIONAL MATTERS

January 18, 1965

ORGANIZATIONS REVIEWED

American Law Institute
American Foundation, Studies in Corrections
Bureau for Men, Jewish Family Service of Philadelphia
Comprehensive Mental Health/Mental Retardation Plans
Committee on Children and Youth
Committee on Abolition of Penalty of Death
Council of Juvenile Court Judges
Crime Commission of Philadelphia
Department of Justice
  Bureau of Corrections
  Juvenile Court Judges Commission
Department of Public Welfare
  Office for Children and Youth
  Office of Mental Health
Fraternal Order of Police
National Council on Crime & Delinquency
  Advisory Council of Judges
Pennsylvania Assn. for Probation, Parole, and Corrections
Pennsylvania Assn. for Retarded Children
Pennsylvania Association of Trial Judges
Pennsylvania Bar Association
Pennsylvania Board of Parole
Pennsylvania Chiefs of Police Assn.
Pennsylvania Citizens Council
Pennsylvania Council on Correctional Staff Development
Pennsylvania Council on Crime and Delinquency
Pennsylvania District Attorneys' Assn.
Pennsylvania Magistrates' Assn.
Pennsylvania Prison Society
Pennsylvania State Police
Pennsylvania Wardens' Assn.
Philadelphia Bar Association

COMMITTEE

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Executive Secretary
Council for Human Services

On November 16, 1964, Commissioner Arthur Prasse of the Bureau of Corrections stated to the Council for Human Services that correctional services in Pennsylvania are the responsibilities of several agencies of government, including his Bureau, the Office for Children and Youth, the Office of Mental Health, the Board of Parole, and the Juvenile Court Judges' Commission. He further reported that many governmental and private groups propose changes to the correctional services, sometimes without consideration for the interdepartmental implications. He suggested that a committee be appointed to review and report to the Council on known current proposals of such groups.

Chairman Adams appointed such a committee and this is its report.

The Committee has catalogued in the following pages current position statements and legislative proposals of twenty-nine private and public groups. It has not tried to evaluate or make recommendations on these proposals, having not been so charged.

SUMMARY

Because there are nearly a hundred separate proposals, the following summary is prepared. In summarizing, the committee has included only proposals which: 1) would seem to have interdepartmental consequences; 2) would require the Commonwealth to assume responsibilities now assigned to the counties; or 3) would require large capital outlay.

ADULT PROBATION AND PAROLE

Currently probation services in Pennsylvania are almost the exclusive responsibility of the counties, while parole is the responsibility of the counties on all sentences of less than two years, and of the State Board of Parole in sentences in excess of two years.

The Joint State Government Commission, the American Law Institute, the Pennsylvania Citizens Council, the Pennsylvania Crime Commission, the Pennsylvania Council on Crime and Delinquency, the Crime Commission of Philadelphia, the Pennsylvania Prison Society, the Comprehensive Mental Health Plan, and the Pennsylvania Association on Probation, Parole, and Corrections all advocate greatly increased state involvement in adult probation services which are currently considered poor throughout the sixty-seven counties.

The amount of suggested involvement ranges from subsidies to the counties to a complete state system of probation and parole. Based upon the experience of other states, advocates of improved probation services estimate fiscal savings to the Commonwealth of several millions of dollars, a prison population reduced by 1500 or more, and improved protection to the public.

Strong support is evidenced for legislation which would make mandatory pre-sentence investigations. At the present time only 5% of felony convictions are followed by pre-sentence investigations.

COUNTY PRISONS AND JAILS

The American Law Institute, the Pennsylvania Citizens Council, the American Foundation, the Joint State Government Commission, the Pennsylvania Council on Crime and Delinquency, the Pennsylvania Prison Society, and the Crime Commission of Philadelphia, all recommend major changes to the jail system in Pennsylvania.

Pennsylvania is unique among the fifty states in that thirteen of its county prisons are permitted by law to hold prisoners who are sentenced up to life. All others of its county jails receive persons sentenced to "simple imprisonment" which includes lengthy sentences. In other states the county penal institution is seen as a holding facility for unsentenced prisoners and for convicted persons receiving sentences of less than a year.

The recommendations of the above groups would retain the pre-trial function of the county jail, but limit county jail and county prison sentences to either a year or two years. Prisoners sentenced for longer periods would be confined at state institutions. Regional state facilities for the sentenced prisoner are recommended.

THE YOUTHFUL OFFENDER

Several organizations, including both the Bureau of Corrections and the Office for Children and Youth, recommend in one way or another that laws which permit Juvenile Courts to sentence to the Bureau of Corrections be repealed. This would mean that in the future the Office for Children and Youth would have to provide for the approximately 1,000 juveniles who would ordinarily have been sent to White Hill. The 300 juveniles who are now sentenced to Dallas and Muncy would also be affected.

Such legislation would, of course, release cells at Dallas and White Hill for adult prisoners.

THE JUVENILE OFFENDER

The Pennsylvania Citizens Council, the Pennsylvania Council on Crime and Delinquency, the Comprehensive Mental Health Plan, the Committee for Children and Youth, the Office for Children and Youth, and the Council of Juvenile Court Judges all recommend that the State assume responsibility for establishing regional detention centers where counties are too sparsely populated to provide for detention facilities for juveniles.

Strong recommendations are expressed that the Office for Children and Youth expand and diversify its network of juvenile institutions.

Many organizations also recommend that the present subsidy program to Juvenile Courts to improve juvenile probation services be extended and expanded.

ADULT INSTITUTIONS

The Joint State Government Commission, the Pennsylvania Prison Society, the Pennsylvania Citizens Council, the Crime Commission of Philadelphia, and the American Foundation advocate the replacement of old Eastern State Penitentiary in Philadelphia with a modern institution. Some suggest that this institution provide for: 1) reception and guidance center; 2) a medical and psychiatric center; 3) a correctional treatment center; 4) a personnel training institute, and 5) a correctional research institute. An estimated cost of such an institution is $14,653,296.00.

Several organizations urge that other future construction by the Bureau of Corrections be in the direction of minimum security facilities.

Pennsylvania is unique in that it is the only state which charges the counties for confinement costs. There are proposals which would: 1) place this charge on the Commonwealth, or 2) change the method by which counties are charged.

THE PENAL CODE

Many groups recommend revision of the Penal Code. None of these groups has yet completed its studies and final reports are, therefore, not available.

CORRECTIONS AND MENTAL HEALTH

Need is expressed for legislation which would facilitate the transfers of mentally deranged prisoners to medical facilities. Increased psychiatric services for correctional agencies are advocated. A treatment center for disturbed prisoners is urged for Philadelphia. Strengthening of psychiatric services for the sex offender is recommended. The need for increased availability of pre-sentence psychiatric examination is recognized.

EDUCATION AND TRAINING

The Juvenile Court Judges Commission, the Council of Juvenile Court Judges, the Pennsylvania Prison Society, the Comprehensive Mental Health Plan, the Bureau of Corrections, the Board of Parole, the State Police, the Pennsylvania Prison Society, the Pennsylvania Council on Crime and Delinquency, the Crime Commission of Philadelphia, and the Pennsylvania Council on Correctional Staff Development all have positions in regard to training and education of correctional personnel. Many of them urge increased pre-employment education, improved in-service training, increased state-financed scholarships, fellowships, and educational grants, and the establishment of a center for police and correctional studies, preferably at Pennsylvania State University.

There is strong advocacy for higher standards and increased pay for correctional employees, and for broadened civil service coverage, including county correctional agencies.

AUSPICES The American Law Institute - Model Penal Code

SUBJECT Mandatory Presentence Investigation

DESCRIPTION

A court shall not impose sentence without first ordering a presentence investigation of the defendant and according due consideration to a written report of such investigation where,

(a) The defendant has been convicted of a felony or
(b) The defendant is less than twenty-two years of age and has been convicted of a crime or
(c) The defendant will be placed on probation or sentenced to imprisonment for an extended term.

The Court may also order a presentence investigation in any other case.

If the defendant is sentenced to imprisonment, a copy of the report of any presentence investigation or psychiatric examination shall be transmitted forthwith to the Department of Correction.

Less than five percent of the cases sentenced to a State Correctional Institution at the present time have had a presentence investigation.

AUSPICES American Law Institute

SUBJECT Release on Parole, Section 305.1, Reduction of Prison Term for Good Behavior and Section 305.2, Reduction of Parole Term for Good Behavior

DESCRIPTION

For good behavior and faithful performance of duties, the term of a prisoner or a parolee shall be reduced by six (6) days for each month of either imprisonment or parole.

The Board of Parole is opposed to this article since such factors as the attitude of the institution administration toward parole, problems of overcrowding, competence of the personnel in the classification and study of individual prisoners, and accuracy and completeness of the records kept of the prisoner's activities and adjustment in the institution enter into this decision for "good time" and not necessarily the change and adjustment of the prisoner. Good time laws in a modern parole system constitute an anachronism, especially if the indeterminate sentence is adopted. They undermine individualization and tend to encourage release on the basis to time served rather than readiness for release as measured by favorable changes in the personality of the inmate.

A sound parole law should provide for a most flexible form of sentencing. Too often the effectiveness of the indeterminate sentence is destroyed by measuring the progress of the individual prisoner by the amount of time served and little else.

AUSPICES American Law Institute

SUBJECT Division of Parole, Sections 402.2 (1) (d), 404.1 (2), and 404.2

DESCRIPTION

The purpose of these articles in the aggregate is to vest control of the Division of Parole in the Board of Parole rather than in the Director of Corrections. The Pennsylvania Board of Parole favors the alternate proposal of the American Law Institute which would make the Board of Parole an independent body responsible to the Governor rather than have a Board of Parole responsible to the Director of Corrections. In support of this view the Advisory Council on Parole of the National Council on Crime and Delinquency approved the following minute on September 1, 1959:

"That the Parole Council firmly believes that the paroling authority should be an independent, quasi-judicial agency; it further believes that parole is an integral part of the correctional process; however, the paroling authority should be administered independently of other state government agencies.

"That the Parole Council firmly believes that field services and parole staff should be under and administratively responsible to the paroling authority."

In further support the Association of Paroling Authorities has adopted the following position:

"An alternate organizational arrangement for the parole board is the establishment of this body as a separate department. All of what has been said before about qualifications, methods of appointment, term, etc., will be equally applicable here. The Board will be directly responsible to the Governor. In this situation, the board will be directly responsible for the administration and control of field services. Among the arguments for this type of organization are these:

"That when the paroling authority and its services are an autonomous body, they present their own budgetary requests to the legislature and stand a better chance of receiving the needed appropriations.

"Under this system the board appoints an official to supervise the field services. He is, however, directly responsible to the board. It would seem wise, also, to appoint the chairman of the board as the administrative official of the department. He may act in consultation with the other members but the administrative responsibilities should be his. If this is not done the objections to a board serving in administrative capacity apply here."

AUSPICES Pennsylvania Council of the National Council on Crime and Delinquency

Robert B. Wolf, Esq.
Chairman
Committee on Probation

SUBJECT Adult Probation Services

DESCRIPTION Pennsylvania is one of only seven states in which adult probation is exclusively the responsibility of the courts and where there is no existing state agency responsible for standards, supervision or state-wide development. As a result, probation officers may be selected without regard to qualifying standards. Case loads, as mentioned above, are high. Pre-sentence investigations are rarely used.

As a result of these inadequacies, the courts tend to use supervised probation to a much more limited extent than most other jurisdictions. Michigan as mentioned above, Wisconsin, Rhode Island, Indiana and other states have markedly reduced their penal populations by improvements to the probation services. The three-year study in Saginaw demonstrated that probation can safely be offered to 68% of all felony offenders when adequately trained staff carrying a reasonable case load is available. Pennsylvania uses probation in less than 30% of criminal convictions.

A STATE BOARD OF PROBATION AND PAROLE

The Council recommends expanding the Board of Parole to become a Board of Probation and Parole.

The expanded Board would continue its quasi-judicial function of passing on applications for parole, and supervising its parolees. It would have the following additional functions:

- Establish standards for the probation services of the Quarter Sessions Courts

- Offer probation services to the Quarter Sessions Courts which have no probation staff.

- Provide supplementary probation services to any court upon request.

  Provide services to courts which are unable to achieve the standards established by the Board.

We recommend that an Advisory Committee to the Board be established with very substantial representation from the Judiciary.

PCCD states that development of probation services as outlined above would render new prison constructions unnecessary.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and the Juvenile Court

SUBJECT Probation

DESCRIPTION 1. Probation service should be firmly established as a profession. It should provide a career with adequate opportunities for service, status, job tenure, and adequate compensation. As one means of promoting the foregoing benefits, it is recommended that counties arrange for probation officer participation in the State Civil Service system. This can be done within the framework of existing legislation covering Civil Service Commission functioning.

While desirous that all steps be taken to speed the day when probation will be established as a service profession offering high personal satisfaction, community status, and reasonable compensation, a minority of the Task Force object to the Civil Service provision of an independent appeal board as the ultimate authority on job tenure. They believe the unique relationship of confidence and respect that must exist between the judge and probation officer requires a mutual choice to work together and, therefore, hold that, although appointment, tenure and advancement should be based on merit alone, that the judge should have sole responsibility for these determinations.

2. The 50 unit workload standard (one unit for each supervised case and 5 units for each social investigation) set forth by the Juvenile Court Judges' Commission and advocated by the National Council of Juvenile Court Judges, should be utilized in establishing a numerically adequate staff.

3. The State Grant Program for the improvement of services in county juvenile probation offices should be expanded to provide further impetus for the employment of needed additional qualified probation officers. Legislation required.

AUSPICES Bureau of Corrections

SUBJECT Require Sentencing and Committing Courts to Submit Reports on all Cases Committed or Sentenced to State Correctional Institutions Involving Serious Bodily Harm to the Victims

DESCRIPTION

Although it would be preferred that pre-sentence reports be submitted on all cases, a start has to be made somewhere and this usage would probably draw the least amount of "fire," particularly in the smaller counties. It is quite possible, once the sentencing judges have used pre-sentence reports, that they themselves will request and require them in more and more cases. At present cases coming to the Bureau of Corrections have little, if any, case history material accompanying them.

AUSPICES Joint State Government Commission

SUBJECT Proposed Legislation Regarding Probation and Parole Matters

DESCRIPTION The Pennsylvania Board of Parole is supporting the entire program as recommended by the Task Force and Advisory Committee for Penal Institutions of the Joint State Government Commission regarding probation and parole legislation. These proposals are described elsewhere in the report of the Committee on Correctional Problems of the Governor's Council for Human Services.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan Worshop on "Psychiatry and the Law"

SUBJECT Psychiatric facilities in Parolees and Probationers

DESCRIPTION That psychiatric facilities be provided for men and women on probation as well as those on parole. However, in doing so this should not be considered as the final goal. In the long-term view, preventive measures would have to be given priority and although it may develop that traditional psychiatric services are sufficient Behavioral Scientists should be employed in evaluating the use of halfway houses for parolees, the nature of the relationship between probation officers and men on probation, etc

AUSPICES Bureau of Corrections

SUBJECT To Provide for "Extended" Sentences so that No Inmate Would Ever be Released Without Some Minimum Period of Parole Supervision.

DESCRIPTION

This proposal may possibly require a constitutional amendment. There has been some disagreement among those judges who have been contacted concerning this proposal as to the proper method to implement it.

AUSPICES Pennsylvania Prison Society

SUBJECT Probation and Parole

DESCRIPTION

The Pennsylvania Prison Society has long advocated and worked for the improvement of probation services in the Commonwealth.

Currently it is promoting the probation and parole recommendations of the Joint State Government Commission.

AUSPICES Pennsylvania Citizens Council

SUBJECT Adult Probation Services

DESCRIPTION

The Pennsylvania Citizens Council considers the improvement of adult probation services in the Commonwealth to be of primary importance.

It endorses the recommendations of the Joint State Government Commission in a method by which improved probation services can be obtained.

AUSPICES	Crime Commission of Philadelphia
SUBJECT	Probation and Parole
DESCRIPTION	The Crime Commission supports the entire probation and parole recommendations of the Joint State Government Commission.

AUSPICES Pennsylvania Association on Probation, Parole and Correction

SUBJECT Establishment of Adult Probation Standards

DESCRIPTION

Therefore be it resolved that the Commonwealth of Pennsylvania be enjoined to establish Standards for adult probation services in the several counties.

AUSPICES Pennsylvania Association on Probation, Parole and Correction

SUBJECT State Supplementation of Probation Services

DESCRIPTION

Be it further resolved that the Commonwealth supplement the services in the counties where such supplementation is requested to bring services up to its established standards.

MENDATIONS | vt. CON | COUNTY JAILS AND PRISONS | YOUTHFUL OFFENDER JUVENILES | ADULT INSTITUTIONS | PENAL CODE | CORRECTIONS & MENTAL HEALTH | EDUCATION & TRAINING

AUSPICES Pennsylvania Citizens Council

SUBJECT County Jails

DESCRIPTION

1. Offenders with sentences of more than one year should be confined to a state institution. This will simplify the task of local jails and reduce their area of responsibility to a level commensurate with local ability. Indeed, many of the major criticisms of local jails can be resolved by this one act.

   The subcommittee recognizes there is nothing magical about a one year cut-off period. The object is to send a person to the institution where he can receive the services necessary for his rehabilitation. It is assumed, therefore, that persons serving less than one year sentences might be committed to a state institution if the state and sentencing judge agreed.

   This recommendation is based on the assumption that the state continues to expand the rehabilitation program at the state penal institutions. Nothing would be gained by taking a person from one location which has no treatment or rehabilitation program and sending him to another one which is also without them.

2. Counties with low population should be encouraged to consider joining with other nearby counties in the operation of a joint facility. Statutory authority already exists for such cooperation. In most cases, it should be a farm or similar type of minimum security facility.

3. The state should assume an active role in local jail administration by (a) providing state aid for the operation of multi-county facilities, and (b) constructing and operating regional facilities (minimum security) as some states now do. These regional facilities should be available for minor offenders who now must serve time in a jail without any of the services listed above.

   The present state program of inspection of local jails and training of jail personnel should be expanded.

4. The jails should improve their program by developing and using resources now available in many communities and provided by the state. Some of these are: vocational education teachers, welfare caseworkers, guidance and counseling services, public health officials, etc.

   Special attention should be given to establishing a formal liaison between the jail and the community, particularly the business, industrial, and labor segments. Recognition of the problems and needs of the jail can be expected only if the public is made aware of them. For the industrial and labor segments, liaison is crucial if the inmates are to locate jobs and become economically self sufficient.

AUSPICES Studies in Corrections, The American Foundation

SUBJECT <u>All prisoners sentenced to terms of more than one year should be committed only to State Institution</u>.

DESCRIPTION The American Foundation accepts the reasoning which underlies recommendations 3 through 6 of the County Prisons and Jails Task Force and Advisory Committee, which provide that sentences to county prisons and jails should be restricted to less than two years.

It is recommended, however, that sentences of one county institutions be restricted to sentences of one year and less. This recommendation is made for the following reasons: first, that the principle for restricting jail sentences to less than two years is equally applicable to sentences between one and two years in length; second, if the upper limit is now fixed at two years, it is possible, and perhaps probable, that within a few years the limit will be lowered to one year, and counties and the Bureau of Correction should be given the opportunity to plan their future institutional requirements on the basis of relatively permanent legislation; and third, the limitation of one year and less would make Pennsylvania's legislation consistent with that of practically all other states.

Making the offenders with sentences of more than one year the responsibility of the Commonwealth would permit the establishment of small regional institutions. Such institutions would permit the detention of offenders near their homes and relatives, which is the only defensible reason for their present detention in local jails and prisons.

AUSPICES The American Law Institute - Model Penal Code

SUBJECT Jails Should Be for Untried Prisoners and for Those Sentenced for Less than One Year

DESCRIPTION

Counties, cities, and/or the Department of Correction shall operate local short term institutions for the custody, control, and treatment of persons sentenced or committee to imprisonment for a fixed term of one year or less, for persons awaiting hearing or for trial, for the detention of witnesses, and for the detention of those individuals who have been committed to the Department of Correction, but are awaiting removal.

With the exception of thirteen counties in the Commonwealth of Pennsylvania allowed by law to incarcerate those inmates who have been sentenced for a crime punishable by "separate and solitary confinement at hard labor" counties are allowed to house only those who have been sentenced to "simple imprisonment." In some cases, however, the term may be as much as a five year maximum. A number of counties are illegally receiving sentenced prisoners who really should be in a State Correctional Institution.

If the above Recommendation should become law the length of sentence would determine place of confinement rather than the type of crime committed.

AUSPICES Pennsylvania Council of the National Council on Crime and Delinquency
Roy Wilkinson, Jr., Esq., Chairman

SUBJECT: County Jails and County Prisons

DESCRIPTION

1. The present Penal Code of Pennsylvania provides that sentence to "simple imprisonment" shall be served in County Jails. Some sentences of "simple imprisonment" are up to five years. Furthermore, thirteen counties are currently permitted by special legislation to establish "county prisons" and they are authorized to receive prisoners sentenced "to imprisonment at labor by separate and solitary confinement" up to life.

2. It is estimated currently that approximately 2500 prisoners are now serving sentences in excess of one year in county jails or prisons.

3. The PCCD recommendation which follows would change the function of the county jail to that of practically every other state:

   "Except for the County Jails and Prisons which are approved by the Attorney General to hold prisoners for a longer time, it should be mandatory that all prisoners sentenced to a term of one year or more be sentenced to a state institution, and that the sentencing court should have the option to sentence a prisoner with a term under one year to a state institution or to a county jail."

AUSPICES Studies in Corrections, The American Foundation

SUBJECT A Further Study be Made of the County Prisons and Jails in Pennsylvania Looking Toward the Development of Improved Programs and Facilities and the Closer Integration of County and State Responsibilities in the Handling of Persons Charged With and Convicted of Crime.

DESCRIPTION

Although considerable attention has been given by the Joint State Government Commission and its Task Force and Advisory Committees to the aspects of corrections for which the State has responsibility, practically no study of local institutions, their facilities and programs has been made. Nevertheless, approximately 80,000 persons pass through the local institutions each year, as contrasted to 2,200 persons committed by the courts to the State Correctional Institutions. Also, there are now approximately 7,000 prisoners confined in local institutions as compared to 8,000 in State institutions. Since the impact of the county institutions is so extensive and influential, with 36 times as many persons being admitted to county jails and prisons as to State institutions, the local institutions cannot be overlooked in any endeavor in which the objective is the improvement in the administration of justice and the development of a greater degree of effectiveness in the handling and treatment of criminal offenders.

AUSPICE: Bureau of Corrections

SUBJECT Inspection of County Jails

DESCRIPTION:

Provide for "teeth" in the inspection program for County Jails and Municipal Lock-Ups when conditions exist that need to be improved for the general welfare of the prisoners.

Other than calling needed improvements to the attention of the Warden and his superiors, the Bureau of Corrections has no authority to enforce suggestions for needed reforms. It is possible, of course, to close a County Jail, but this certainly is not feasible.

AUSPICES Pennsylvania Prison Society

SUBJECT County Jails and Prisons

DESCRIPTION

The Pennsylvania Prison Society urges improvements to the County Jail System in Pennsylvania and toward that end supports the recommendations of the Joint State Government Commission.

AUSPICES The Crime Commission of Philadelphia

SUBJECT County Jails and Prisons

DESCRIPTION

The Crime Commission supports the entire county jail and prison recommendation of the Joint State Government Commission.

AUSPICES Crime Commission of Philadelphia

SUBJECT Out-Mate Law

DESCRIPTION

The Crime Commission has endorsed the early implementation of this work-release law enacted in 1963. It is participating in Philadelphia efforts to introduce the law into Philadelphia.

MENDATIONS | ve. COMM.

YOUTHFUL OFFENDER
JUVENILES

ADULT
INSTITUTIONS

PENAL CODE

CORRECTIONS &
MENTAL HEALTH

EDUCATION &
TRAINING

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and the Juvenile Court

SUBJECT Family Court

DESCRIPTION The competent juvenile court has long required that both the juvenile and his parents (or parent substitutes) be present in proceedings before the Court, in the aim of achieving maximum effectiveness for the Court's effort. Whatever the child is results in most cases from the environment in which he was reared at home. Under the forms of law, family problems arising from the broken family, the types of litigation possible must be brought under the fragmented system of legal actions, in a variety of courts and even courthouses, resulting in multiplication of costs, attorney fees, separate hearings, and the repeating over and over, with variations, the same testimony. In recent times, many states have modernized their court systems so that all aspects of family litigation can be brought in one court, the Family Court, including actions in divorce, division of marital property, support, fornication and bastardy, adoption, delinquency or neglect proceedings, and even crimes such as assault and battery arising within the family. A system of family courts should be set up in Pennsylvania embracing every county, and in the cases of the less populated counties, the court should cover a number of counties. If the proposed judiciary amendment to the Pennsylvania Constitution is adopted, the Family Court ought to be the fourth division of the unified county court. (The other divisions are (1) civil, (2) criminal, (3) orphans or estates court.)

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and the Juvenile Court
Judge Chauncey Depuy, Chairman

SUBJECT Training Schools

DESCRIPTION 1. The state should provide a network of juvenile institutions which provide to the courts a variety of facilities which will receive, immediately following adjudication, children who exhibit a wide range of behavioral problems.

2. The state should provide a system for classifying and transferring committed children to insure that each child will be treated in the institution in his region which most adequately provides for his needs.

3. The state system of residential facilities for delinquent children should provide for diversity in terms of treatment and custodial features and should be administered by the agency of government charged with welfare responsibilities for children whose board should include members of the judiciary.

4. Institutions receiving delinquent children for care, treatment, and custody should be small. They should permit close interpersonal interplay between the superintendent and the child. An institution of over 200-250 precludes this in most instances.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and The Juvenile Court
Judge Chauncey Depuy, Chairman

SUBJECT Detention of Juveniles

DESCRIPTION 1. Each County and/or the State should provide adequate juvenile detention facilities for those children who must be detained prior to adjudication and disposition.

2. No child under the jurisdiction of the juvenile (family) court should be detained within the county jail, prison or police lock-up.

3. The detention facility should not be used for: (1) neglected, dependent, psychotic, the non-delinquent emotionally disturbed, or truant; (2) for punishment; (3) for delinquent children who do not require secure custody pending hearing.

4. Because detention requires a variety of diagnostic and treatment services, no county of less that 150,000 people should attempt to build and o erate a detention home. The State should provide a system of regional detention homes to provide for the needs of the smaller counties.

AUSPICES Studies in Corrections, The American Foundation

SUBJECT Provisions for Smaller, More Suitable, and Better Located Facilities for Youthful Offenders

DESCRIPTION

The Commonwealth has only one institution for youthful offenders (Camp Hill) to which commitments are made from both juvenile and criminal courts, including boys fifteen years of age to young adults of 20. To accommodate an increasing number of offenders, the institution has been increased in size to its present capacity of 1325. This is much too large an institution for youthful offenders, if rehabilitation programs are to be given essential emphasis. The excess energy and unpredictability of adolescents and their special need for intensive training and treatment programs requires that they be handled in smaller groups than is necessary with the more stable adult offenders. A capacity of from 500 to 600 is considered the maximum which should be accommodated in an institution for youth. The Bureau of the Census also estimates a rapidly increasing number of youth in the general populations during the next few years, which may be expected to produce increasing crowding at Camp Hill, the population of which already exceeds 100% of capacity.

An institution of the Camp Hill capacity is far more suitable for older, more stable offenders. It is recommended, therefore, that further study be given, (1) to the practice of mixing juvenile with criminal court commitments in the same institution, and (2) long-range planning for the utilization of Camp Hill for adult offenders and the establishment of smaller institutions for youthful offenders.

AUSPICES Committee for Children and Youth

SUBJECT Training Schools and Diagnostic Centers

DESCRIPTION 1. That there should be an expansion of the State training schools and State system of various kinds of group living settings to provide for the varying needs of delinquent children and youth, such as forestry camps, institutions, treatment centers, and small group homes for children needing a home after leaving a training school. These institutions should provide programs in accordance with nationally recognized standards, as published in the U.S. Children's Bureau pamphlet "Institutions for Delinquent Children - Guides and Goals."

2. That specialized facilities be provided for diagnostic and treatment services at all stages of the correctional process.

AUSPICES Bureau of Corrections

SUBJECT To Repeal all Laws that Allow Juvenile Courts and the Municipal Court of Philadelphia to Commit Cases to Bureau of Corrections institutions.

DESCRIPTION

At the present time there are over thirteen hundred Juvenile Court and Municipal Court of Philadelphia cases in the State Correctional Institutions at Camp Hill, Muncy, and Dallas.

It is felt that the Department of Public Welfare should be solely responsible for all Juvenile Court and Municipal Court of Philadelphia commitments. It is possible, of course, that a few of the juveniles may not be able to make an adequate adjustment in the present Youth Development Centers. These cases, once they have committed a serious offense at the Development Center, could be certified over to Criminal Court and sentenced to Camp Hill, Muncy, or Dallas.

The Bureau of Corrections would have greater leeway in making transfers among its present specialized institutions if all cases were sentenced from Criminal Courts. At the present time the Deputy Commissioner for Treatment does not have authority to transfer cases committed from a Juvenile Court or the Municipal Court of Philadelphia.

AUSPICE: Bureau of Corrections

SUBJECT Transfer of Juveniles to Adult Institutions

DESCRIPTION

Until such time as the Department of Public Welfare has custody of all Juvenile Court and Municipal Court of Philadelphia cases, authorize the Deputy Commissioner for Treatment, Bureau of Corrections, with the approval of the Committing Court, to transfer committed cases at the State Correctional Institution at Camp Hill to other institutions within the Bureau of Corrections for medical, security, etc., reasons.

Although this legislation would be used rather infrequently, considerable administrative-treatment time could be saved for certain problem cases at the Camp Hill Institution.

AUSPICES	Pennsylvania Department of Public Welfare
SUBJECT	New Institutions for Delinquent Juveniles
DESCRIPTION	Capital budget requests for construction of new or additional beds at the following locations: Cresson - 100 additional Loysville - 100 additional Eastern Pennsylvania (Boys) - 200 new Eastern Pennsylvania (Girls)- 150 new Capital construction at Warrendale to replace existing facilities, renovation of which would be excessively expensive. Capital proposal for acquisition of Kis Lyn and necessary improvements. Long-range capital request for two additional institutions for boys in the eastern area of Pennsylvania, and one in the western area, to provide medium security facilities for approximately 600 boys. Long-range capital proposal for three additional Youth Forestry Camps to be requested by the Department of Forests and Waters.

Hold

AUSPICES Pennsylvania Department of Public Welfare

SUBJECT State Operation of Regional Detention Homes

DESCRIPTION

Despite current authorization for two or more counties to join together in building and operating juvenile detention homes, such action has not taken place.

Authorization is sought for the Department of Public Welfare to build and operate regional detention homes on request of commissioners and judges of two or more adjacent counties. The current proposal would not seek financial appropriation for actual planning or construction; it would merely authorize the State to develop proposals that might be submitted by groups of counties.

7, 8 class Counties

Pay part of cost where

AUSPICES Pennsylvania Prison Society

SUBJECT Legislation to Prohibit Sentencing of Juveniles to the Bureau of Corrections

DESCRIPTION

The Pennsylvania Prison Society recommends that legislation be introduced which would prohibit the sentencing of juveniles to the adult Bureau of Corrections.

Concurrently, it recommends that the Office for Children and Youth expand and diversify its institutional facilities so as to be able to receive juvenile offenders who would otherwise have been sent to the Bureau of Corrections.

AUSPICES Pennsylvania Citizens Council

SUBJECT Probation Services for Juveniles

DESCRIPTION

Recognizing that the county has initial responsibility for providing juvenile probation services, the Citizens Council supports continued State appropriations to the Department of Public Welfare for grants to assist counties in providing such services, based on standards established by the Juvenile Court Judges' Commission.

Case loads for probation officers should be based on such recognized standards as those promulgated by the National Council on Crime and Delinquency and should be included in the standards established by the Juvenile Court Judges' Commission.

The Citizens Council recommends that the training of probation officers be a continued responsibility of the State; that the present program of institutes for juvenile probation officers be continued; and that opportunities for professional training through payment of tuition, stipends, etc. be provided for probation personnel as they are now provided for child welfare personnel.

AUSPICES Pennsylvania Department of Public Welfare

SUBJECT Grants for Improvement of Juvenile Probation Services, Police Services to Juveniles, and Crime Prevention Services

DESCRIPTION

A bill will be introduced to obtain legislative authorization for the current program of financial aid to counties and local governments for probation, police and crime prevention services.

The present program is based on appropriation action only.

Legislation
Gov Comm on Prev of Crime

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and the Juvenile Court
Judge Chauncey Depuy, Chairman

SUBJECT Institutional Care for Defective Delinquents

DESCRIPTION Common honesty and principle dictate that if the state through the juvenile courts is going to state to the public that the court is a therapeutic agent dedicated to remedial effort for the child, the child should be committed only to a facility offering some firm likelihood of benefit. This rule should prohibit tossing the child into a large mass of adult offenders whose habits and proclivities are likely to constitute a notably worse environment than what he has hitherto known at home.

Separate institutions of much smaller size and of cottage type (below 20 to a cottage) should be set up for girls who fall into the Laurelton category and for boys who fall into the Dallas category. These institutions should be administered under the Commission of the Office for Children and Youth.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and the Juvenile Court

SUBJECT Institutional Care for Older Juvenile Delinquents

DESCRIPTION There is no excuse for keeping juveniles under the age of 18, committed by the juvenile courts, in a high-security institution like White Hill mixed with hundreds of adult men committed by the criminal courts, to this maximum security prison. The presence of these juveniles appears unjustified whether from the viewpoint of correct therapy, true to the philosophy, aims, and concepts of the juvenile court or from the legal viewpoint of constitutional rights of the juvenile. It is probable that, before long, the United States Supreme Court will throw into relief the inconsistency of the juvenile court's claim on the one hand to be a therapeutic and non-punitively oriented facility for the assistance of children, thus justifying the omission of constitutional safeguards as to jury trial and other protections, and, on the other hand, the thrusting of certain youths into an adult institution with all the harmful associations that result from grouping with adult criminals, over 18 years of age, after being judged in the juvenile court without these safeguards. (We make no plea here for any youth under 18 whose case was transferred from juvenile to adult court, resulting in a criminal sentence to White Hill.)

RECOMMENDATION

We therefore recommend that the Department of Public Welfare proceed at once to the construction or purchase of an institution to be of a maximum security type, to which the juvenile courts may commit youths whose characteristics require a closed-type institution, without the necessity of mingling them with criminals committed by the adult courts, and that such an institution be under the administration of the Commissioner of Children and Youth. Such a move will free several hundred beds at White Hill for needed adult use by the Bureau of Corrections.

AUSPICES Committee for Children and Youth

SUBJECT Detention

DESCRIPTION That juvenile detention facilities, with building and program conforming to nationally approved standards, be available to each community or area. If each county does not have need or resources to justify such a facility, consideration should be given to State operated regional homes.

AUSPICES Pennsylvania Citizens Council

SUBJECT Diversity of Juvenile Institutions

DESCRIPTION

The Citizens Council recommends that adequate and diversified facilities to care for all juveniles committed by the courts as delinquent should be available in institutions operated or supervised by the Department of Public Welfare.

AUSPICES Juvenile Court Judges' Commission and The Pennsylvania Council of Juvenile Court Judges

SUBJECT Permanency of Juvenile Probation Grant Funds

DESCRIPTION

The Juvenile Court Judges' Commission and the Pennsylvania Council of Juvenile Court Judges recommend that the Department of Justice be given responsibility in the Administrative Code to provide an annual Grant to the counties for the operation of juvenile probation offices.

agree

AUSPICES Juvenile Court Judges' Commission and The Pennsylvania Council of Juvenile Court Judges

SUBJECT Juvenile Probation State Grant Funds

DESCRIPTION

The Juvenile Court Judges' Commission and the Pennsylvania Council of Juvenile Court Judges recommend an increase in the State Grant made available to counties for the purpose of bettering services to juveniles in their juvenile probation department.

up to 50%

AUSPICES The Pennsylvania Council of Juvenile Court Judges

SUBJECT Short-Term Treatment for Juveniles

DESCRIPTION

The Pennsylvania Council of Juvenile Court Judges recommends the development in Pennsylvania of short-term treatment centers for juveniles.

AUSPICES Pennsylvania Citizens Council

SUBJECT Financial Responsibility for Maintenance and Treatment of Delinquent Children

DESCRIPTION

The Citizens Council recommends that the Department of Public Welfare be authorized to establish a flat rate to be paid by counties for institutional care of delinquents and that the difference in cost between this rate and actual cost shall be paid by the State.

AUSPICES: The Pennsylvania Council of Juvenile Court Judges

SUBJECT Creation of a System of Regional Detention Homes

DESCRIPTION

The Pennsylvania Council of Juvenile Court Judges recommend the establishment by the State of regional detention homes so that juvenile detention facilities would be available to each county. The State would construct and operate these detention centers. The counties would pay for using these centers on a child per diem basis.

AUSPICES Pennsylvania Association on Probation, Parole and Correction

SUBJECT Opposition to the Publishing of Names of Juvenile Delinquents

DESCRIPTION

Therefore, be it resolved that the Pennsylvania Association on Probation, Parole and Correction herewith expresses its opposition to the proposal to publish the names of juvenile delinquents in the public press.

AUSPICES Pennsylvania Assocation on Probation, Parole and Correction

SUBJECT Opposition to Lowering the Juvenile Court Age

DESCRIPTION

Therefore, be it resolved that the Pennsylvania Association on Probation, Parole and Correction, assembled at its Annual Conference in Reading, on May 24-27, 1964, solemnly declares its strong opposition to any attempt to reduce the juvenile court age, as now stipulated in the Juvenile Court Act of this Commonwealth, and authorizes the officers of the Association to publicize this Resolution in a manner appropriate to the issue involved.

AUSPICES Bureau of Correction

SUBJECT Holding Defective Delinquents Beyond 21st Birthday

DESCRIPTION

Clarify procedures for holding inmates committed to the Dallas Institution by the Juvenile Courts and the Municipal Court of Philadelphia beyond their twenty-first birthday, if it is felt by the institutional authorities that these inmates are in need of further treatment.

Although provisions are now available for "holding" these inmates, the procedures could be simplified considerably.

AUSPICES Pennsylvania Association on Probation, Parole and Correction

SUBJECT Opposition to Lowering the Juvenile Court Age to 14

DESCRIPTION

Therefore be it resolved that this Association expresses its unqualified opposition to any attempt to lower the juvenile court age to 14.

AUSPICES Pennsylvania Citizens Council

SUBJECT Citizen Advisory Committee to Juvenile Courts

DESCRIPTION

The Citizens Council recommends the establishment of citizens advisory committees to the juvenile courts in the various counties.

MENTALLY ILL | PVT. COMM.

ADULT INSTITUTIONS

PENAL CODE

CORRECTIONS & MENTAL HEALTH

EDUCATION & TRAINING

AUSPICES Studies in Corrections, The American Foundation

SUBJECT Minimum custody facilities of the camp or small open institution type be provided.

DESCRIPTION Pennsylvania has no camp or small open institutions except for three 50-man mobile camps from which the inmates are returned to the parent institution for the weekends, thereby continuing to utilize bed capacity of those institutions. The federal system and most state systems having high correctional standards have demonstrated that a far larger proportion of prisoners can be safely and more economically confined in camps and open institutions, and with greater treatment advantages than are possible in large, maximum custody prisons.

In the event legislative provision is made for sending certain prisoners now confined in county prisons to State institutions, a high proportion of this group would be classifiable for the less expensive minimum custody type institutions. Also, the establishment of such institutions in various parts of the Commonwealth would meet the objective of keeping a higher proportion of offenders near their homes and families.

AUSPICES Task Force and Advisory Committee on Penal Institutions - Joint State Government Commission

SUBJECT New Adult Institution

DESCRIPTION

There is immediate need for wide expansion of new adult treatment facilities of minimum, unwalled character for the better risk, properly screened inmates. Accordingly, there should be developed the following new facilities:

A. A system of state agricultural and forestry camps, low in construction costs, where inmates can be employed on agricultural, conservation and forestry projects of the state.

B. Several "satellite" facilities for good risk inmates who could work in and on the grounds of non-penal institutions while living under the supervision of the Bureau of Corrections.

C. Specialized training facilities for selected youthful offenders whose adjustment on release would be accelerated by such special training.

The prison system of the Commonwealth consists of eight institutions and approximately 8,000 inmates. Most of the institutions were constructed and designed to serve inmates requiring maximum security. The current cost of construction of maximum security prisons ranges from $15,000 to $20,000 per inmate. Pennsylvania has more than enough such maximum facilities and no new ones are needed.

In the absence of low-cost minimum security facilities, Pennsylvania has housed minimum risk prisoners in costly maximum risk cells. As the prison population expands, construction of new facilities, with the single exception noted under "Center for Treatment and Research," should concentrate on low-cost minimum custody structures.

The facilities can be constructed at a unit cost of from $750 to $2500. They should house no more than 200 inmates each. They can be built for not more than $500,000 each in various parts of the state. Their construction should be projected over several years so that the Commonwealth can develop a network of low-cost facilities for minimum risk prisoners who represent approximately one-third of the prison population.

AUSPICE Task Force and Advisory Committee on Penal Institutions - Joint State Government Commission

SUBJECT The State Correctional Institution at Philadelphia

DESCRIPTION

The State Correctional Institution at Philadelphia should be discontinued as a maximum security prison for maximum security general prison population cases and the present "house" population of this institution should be redistributed to other institutions of the Bureau of Corrections.

"Cherry Hill" as it is known was built in 1829. Housing up to 1,100 inmates, 400 of them in the Diagnostic Center, Eastern is an archaic facility with a huge 35-foot stone wall enclosing 10 acres. Office space is at a premium, work, training, and recreation areas are inadequate, and maintenance and modernization are continuing management problems.

AUSPICES Task Force and Advisory Committee on Penal Institutions - Joint State Government Commission

SUBJECT Center for Treatment and Research

DESCRIPTION

There should be established a correctional facility for criminological diagnosis, classification, social and psychological treatment and research, medical treatment and staff training. This facility should be located in the Philadelphia area, constructed and operated in accordance with the recommendations of The American Foundation, on a site with an area of not less than 75 acres and within a radius not in excess of 30 minutes travel from the center of Philadelphia.

The Task Force and Advisory Committee believe that this recommendation is deserving of top construction priority. Support for and a comprehensive description of the proposed facility will be found in the summary report of The American Foundation, "A New State Correctional Institution in the Philadelphia Area." This summary report is supported by several studies of The American Foundation, all of which have been reviewed by the Task Force and Advisory Committee. These studies can save the Commonwealth at least $100,000 in architectural study and planning, and at least one year of architectural time that would be necessary to replace Cherry Hill.

AUSPICES Task Force and Advisory Committee - Penal Institutions - Joint State Government Commission

SUBJECT State Correctional Institution at Pittsburgh

DESCRIPTION

The State Correctional Institution at Pittsburgh should be retained but its "house" population should be reduced to approximately 500 inmates beyond the number of persons at any one time in the Western Diagnostic and Classification Center. Adjoining land should be acquired by the State as a buffer zone and for other purposes.

The Devers Committee, in its 1953 report, recommended reduction of the "house" population at Eastern and Western to 500 each. In its follow-up report (1954), it stated, "We again repeat that a 'house' population of 500 or less is to be desired at both Eastern and Western." The Bureau of Corrections would like to reduce the population to 500, thus permitting discontinuance of the top tiers in the cell blocks which are difficult to supervise. Better classification of the men within the institution and greater employment of inmates would also be possible with a reduced population.

AUSPICES Studies in Corrections, The American Foundation

SUBJECT: A Further Study as to the Utilization of the Correctional Institution, Pittsburgh

DESCRIPTION The Pittsburgh institution was opened 83 years ago. Many of its features, and particularly the two five-tier inside cell blocks, which have a capacity of 1176 men, are completely obsolete and their use is contrary to present day standards of housing and treating inmates. Since 1953 the institution has also housed the Western Diagnostic and Classification Center, although there is neither separate housing nor adequate facilities of any kind for this program. Some of the buildings inside the walls have been remodeled or constructed during the present century, the industrial buildings in 1922, and the dining hall, power plant, and hospital in 1939. Despite remodeling attempts, this hospital does not meet minimal standards. In addition, there are a number of ancient structures remaining, and the area within the walls is crowded with buildings, which makes for inefficient management.

It is recommended, therefore, that only the most essential expenditures be made for major remodeling and maintenance projects until a decision, based on further study, is made as to the eventual disposition of the institution.

AUSPICES Studies in Corrections, The American Foundation

SUBJECT Minimum custody facilities of the camp or small open institution type be provided.

DESCRIPTION Pennsylvania has no camp or small open institutions except for three 50-man mobile camps from which the inmates are returned to the parent institution for the weekends, thereby continuing to utilize bed capacity of those institutions. The federal system and most state systems having high correctional standards have demonstrated that a far larger proportion of prisoners can be safely and more economically confined in camps and open institutions, and with greater treatment advantages than are possible in large, maximum custody prisons.

In the event legislative provision is made for sending certain prisoners now confined in county prisons to State institutions, a high proportion of this group would be classifiable for the less expensive minimum custody type institutions. Also, the establishment of such institutions in various parts of the Commonwealth would meet the objectives of keeping a higher proportion of offenders near their homes and families.

AUSPICES Studies in Corrections, The American Foundation

SUBJECT A Long-Range Master Plan to be Developed and Maintained by the Bureau of Correction to Include its Present and Anticipated Capital Expenditure Requirements for New Institutions and Major Remodeling of Existing Institutions.

DESCRIPTION

The development of program and needed facilities should not be dependent upon task forces and advisory committees created by the General Assembly after emergencies arise, but should be an on-going responsibility of the Bureau of Correction. Planning which is the result of emergencies is ordinarily inefficient and fails to provide well-thought-out, long-range solutions to correctional problems. Furthermore, appropriations for all needs cannot and should not be provided in one or two years, but should be allocated over an extended period and the requirements met on a basis of priority need.

In order to carry on a realistic planning function, the Bureau requires additional personnel. At present the Bureau does not have sufficient personnel to provide the leadership, direction, supervision and technical assistance required to develop and maintain an effective State-wide correctional institutional program, let alone provide for preventive maintenance and facility development based upon efficient business practice.

AUSPICE Task Force and Advisory Committee Penal Institutions - Joint State Government Commission

SUBJECT Pre-Release Centers

DESCRIPTION

One or more pre-release centers should be constructed, designed to prepare inmates, prior to their release, for re-entry into the community.

The Michigan Parole Center, established in 1952 at a cost of approximately $300 per bed for the 128-man capacity, favorably impressed the Task Force and Advisory Committee who visited it. About 1,300 inmates eligible for parole are processed through the center each year. Each inmate stays for four weeks: 12 days in pre-parole classes, and the remainder in conservation and maintenance work. The stay at the center is designed to bridge the gap from institutional living to civilian life, and the classes include discussion with outside authorities about problems such as employment, alcohol, mental and emotional conflicts, community adjustments, family relationships, and attitudes toward law-enforcement officers.

AUSPICES Pennsylvania Prison Society

SUBJECT New Correctional Institution to Replace Eastern State Penitentiary

DESCRIPTION

The Pennsylvania Prison Society recommends that the Commonwealth build in the Philadelphia area a multi-purpose correctional institution as described by the American Foundation and recommended by the Joint State Government Commission.

AUSPICES Pennsylvania Prison Society

SUBJECT Minimum Security Type Correctional Institutions

DESCRIPTION

The Pennsylvania Prison Society believes that there should be a diversification of correctional facilities in Pennsylvania, and supports the Joint State Government Commission's recommendations for the future construction of minimum security type facilities.

AUSPICES Crime Commission of Philadelphia

SUBJECT Minimum Security Institutions

DESCRIPTION

The Crime Commission supports the recommendations of the Joint State Government Commission.

AUSPICES Crime Commission of Philadelphia

SUBJECT New Institution in Philadelphia

DESCRIPTION

The Crime Commission supports the recommendations of the Joint State Government Commission.

AUSPICES Crime Commission of Philadelphia

SUBJECT New Institution in Philadelphia

DESCRIPTION

The Crime Commission supports the recommendations of the Joint State Government Commission.

AUSPICES Bureau of Corrections

SUBJECT: To Repeal Section 6.1 of Act 418, 1953

DESCRIPTION

This Section requires that first and second degree murderers who were transferred to the State Correctional Institution at Camp Hill must be reassigned when they reach their twenty-first birthday. All other types of cases who are transferred to the same institution may remain after their twenty-first birthday if it appears in the best interest of the inmate to do so. There seems to be no need to discriminate against the first and second degree murderers.

AUSPICES Bureau of Correction

SUBJECT Transfer of Inmate from Dallas to Other Institutions

DESCRIPTION

Give the Deputy Commissioner for Treatment authority to transfer to other State Correctional Institutions any inmate committed as a defective delinquent to Dallas, who is in need of treatment not readily available at the Dallas Institution. Following the course of treatment he would be returned to the Dallas Institution.

This authority now exists for all Criminal Court cases, except those committed to the Dallas Institution. Past experience would indicate that the provisions of the requested legislation would not be needed very often, but considerable time and money could be saved, particularly for those who need specialized medical and psychiatric attention.

AUSPICES Bureau of Corrections

SUBJECT Provide for all Laws Applicable to our Eight Institutions Be Applicable Equally to our Mobile Forestry Camps (or other places where we may wish to use inmates).

DESCRIPTION

This legislation is needed to "cover" the Bureau of Corrections in using inmates away from our eight present definitely located institutions. It would also be needed when we go into a satellite program.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Workshop on Psychiatry and the Law

SUBJECT Correctional Research

DESCRIPTION It was the consensus of opinion of this particular Workshop that the Department of Corrections should formally recognize the need for research in all areas of corrections and make a concrete effort to support such research in terms of grants to universities, etc. Only in this way could the value of proposed and actual changes be measured. It is recognized that progress in this direction has already been made.

AUSPICES Studies in Corrections, The American Foundation

SUBJECT The Commonwealth pay for the support of all prisoners confined in State Institutions.

DESCRIPTION Pennsylvania is the only state in which counties are required to pay for the support of prisoners sentenced in their respective counties. Approximately three-quarters of the Bureau of Correction's expenses (or about $12 million of the $16 million budget) are paid for by the counties. In the other 49 states, the expenses of the custody, care and treatment of offenders in state institutions is accepted as a state responsibility.

Reasons for the proposed transfer of this expense to the State include (1) There is hesitancy to commit perioners to State institutions if a county believes it can save money by keeping them in a local institution (this is of particular concern when the costs are relatively high, such as $8.78 per day at Muncy, $5.79 at Dallas and $5.56 at Camp Hill, as contrasted to $2.97 at the other four institutions.) (2) The county jails and prisons cannot provide the diagnostic and treatment programs, the range of custodial facilities, nor the advisable separation of types of offenders that are possible in the State's Correctional System; (3) Under present legislation thirteen counties can retain prisoners with any term of sentence in local prisons while the remainder cannot, making for inequalities between counties in both capital and operating expenditures; (4) The fact that the State must incur the capital costs of the State Correctional Institutions and some of the operating costs results in a division of expense between State and county which has no retaional basis; (5) The cost of state parole granting and supervision expenses is borne entirely by the State, which is inconsistent with the sharing of expenses of imprisonment between county and State; and (6) The present arrangement creates additional costs to taxpayers in record-keeping, billing and payments, both on the state and county levels. The cost of prison care must eventually be paid by the taxpayer. Now he pays part of the cost through the State and part through the county.

AUSPICE Bureau of Corrections

SUBJECT County Costs of Confinement

DESCRIPTION

Consolidate and then pro-rate all "county costs" at the eight institutions under the jurisdiction of the Bureau of Corrections. One monthly billing rate can then be established rather than four as is now the case.

Bookkeeping and clerical time would be reduced for the monthly billing operation for all inmates sentenced or committed to a State Correctional Institution. At the present time there is authority to consolidate costs at all penitentiary-type institutions.

MENDATIONS | VT. COMM.

PENAL CODE

CORRECTIONS & MENTAL HEALTH

EDUCATION & TRAINING

A-501 7-62

COMMONWEALTH OF PENNSYLVANIA

February 1, 1964

SUBJECT: Report on Proposed Legislation of Subcommittee on Sex Offenders of the Philadelphia Bar Association

TO: Mr. William G. Nagel
Executive Secretary
Council for Human Services

FROM: Elton R. Smith, Superintendent
Parole Supervision

(a) Auspices - Subcommittee on Sex Offenders of the Philadelphia Bar Association - Robert L. Trescher, Esq., Chairman

(b) Subject - Sex Offenders

(c) Description - The Board of Parole supports this proposal in its entirety. It will entail only a minimum of additional funds and if adopted, will provide for a maximum of protection to the public and another support to law enforcement in detection, identification and apprehension and treatment or custody.

ERS:gb

AUSPICES Advisory Council of Judges of the National Council on Crime and Delinquency Honorable Gerald Flood, Member from Pennsylvania

SUBJECT Model Sentencing Act

DESCRIPTION

The Act would attempt to provide protection to society in two ways: 1) by lengthy incarceration of the "dangerous offender" and 2) intensive corrective treatment of all other offenders, either in the community or during limited periods of incarceration.

The Act requires pre-sentence investigations for each conviction.

It defines the "dangerous offender" and provides for indeterminate sentence with a 30-year maximum for such offenders.

It provides life sentence for murder.

It provides 10 year indeterminate sentence for "atrocious crimes."

It provides for a maximum indeterminate sentence of five years for all other felonies.

It would not permit sentence to County Jails of over one year.

If the Model Sentencing Act were to become law in Pennsylvania, the probation services would have to be augmented and improved, and the cell requirements, both county and state, would be reduced.

AUSPICES American Law Institute

SUBJECT Omission of Sodomy as a Sexual Offense under Article 213.

DESCRIPTION

The members of the Board of Parole are opposed to the omission of the offense of Sodomy between two consenting adults since in their experience of interviewing such offenders they find that often these individuals in later life become child molesters. It is their feeling that as the adult becomes older he becomes less attractive to members of his own sex and age and thus resorts to practicing sexual perversion on unsuspecting and innocent minors.

AUSPICES Department of Justice

SUBJECT Modification of Sentence Procedure

DESCRIPTION

Deputy Attorney General, Frank P. Lawley, Jr., may submit with the help of a committee he selected, a series of recommendations for clarifying certain sentence procedures in operation at the present time.

Pennsylvania has a hodge podge of sentencing procedures at the present time. A great deal of staff and administrative time is required to make certain that sentences have been computed properly for escapes, concurrent and consecutive terms, convicted parole violators, etc.

AUSPICES The American Law Institute - Model Penal Code

SUBJECT Leaves and Furloughs for Prisoners

DESCRIPTION

The Director of Corrections shall formulate rules or regulations governing compassionate leave or pre-parole furlough, not to exceed two weeks, for inmates who have a maximum term of one year or more.

Presently there are no laws allowing compassionate leave or pre-parole furloughs.

AUSPICES The American Law Institute - Model Penal Code

SUBJECT Purchase of Goods Produced by Inmates

DESCRIPTION

Department, agencies, and institutions of the county, city, political subdivisions, and the State shall purchase goods, services, and foodstuffs produced by inmates in county, city, or State institutions.

At the present time any tax supported agency may, if they wish, purchase goods and services from inmate centered employment in institutions. The provisions of the above Recommendation would make the purchase mandatory.

AUSPICES The American Law Institute - Model Penal Code

SUBJECT Reduction of Sentence for Good Behavior

DESCRIPTION

For good behavior and faithful performance of duties, the term of imprisonment of the prisoner sentenced or committed for a definite term of more than thirty days shall be reduced by five days for each month of such term. For those sentenced to imprisonment for an indefinite term with a maximum term in excess of one year the reduction shall be six days per month. In addition, for those serving a sentence in excess of one year, the prisoner may receive a further reduction, not to exceed six days per month, for especially meritorious behavior or exceptional performance at his duties.

Prisoners serving "flat sentences" are now eligible for good time under the "Good Time Act of 1901." However, the Board of Pardons must approve, following recommendation by the Warden of the prison in which the man is confined. Under the above Recommendation the Warden would have the authority to make the reduction.

AUSPICES The American Law Institute - Model Penal Code

SUBJECT Organization of a Corrections Department

DESCRIPTION

The Director of Corrections shall appoint the following Deputy Directors: Treatment Services, Custodial Services, Young Adult Correction, Prison Industries, Fiscal Control and Research and Training. In addition each institution shall have a Warden or other administrative head and two Associate Wardens or administrative heads, one on treatment and the other on custody.

AUSPICES Pennsylvania Bar Association

SUBJECT Penal Code

DESCRIPTION A committee of the Bar Association headed by Judge Joseph Sloan has been preparing recommendations with regard to the Penal Code.

The report is not yet available, but its recommendations may parallel those of a Task Force of the Joint State Government Commission which is studying the Penal Code. This committee is also chaired by Judge Sloan.

AUSPICES Joint State Government Commission
Task Force on the Penal Code
Judge Joseph Sloan, Chairman

SUBJECT Penal Code

DESCRIPTION This Task Force has not as yet completed a report, but its chairman states that one may be expected by April-May, 1965.

AUSPICES The Crime Commission of Philadelphia

SUBJECT Penal Code

DESCRIPTION

The Crime Commission endorses the need for recodification of our penal laws. No final report is currently available.

AUSPICES Subcommittee on Sex Offenders of the Philadelphia Bar Association
Robert L. Trescher, Esq., Chairman

SUBJECT Sex Offenders

DESCRIPTION

1. Establishment of courses of training for patrolmen, investigators, prosecutors, judges and prison guards to help them recognize and deal with sex offenders even though the offender may not have committed what is normally called a "sex offense";

2. Full implementation of the rehabilitation concepts of the Barr-Walker Act, including the establishment of psychiatric clinics for the provision of in-prison psychiatric and treatment of paroled offenders and the psychological services;

3. Enactment of a statutory requirement that presentence reports be prepared in all cases involving serious sex offenses and sex offenses against children;

4. Greater use by the courts of the indefinite sentence in order to achieve greater flexibility in the correctional process; and

5. Amendment of the laws governing our penal structure to provide for a period of controlled and supervised release for all offenders.

AUSPICE Bureau of Corrections

SUBJECT To Repeal Act No. 229 (P.L. 569) 1945

DESCRIPTION

This particular Act permits a Judge to fix a minimum and maximum sentence for inmates at the Dallas Institution. Although seldom used, experience has shown that it is much easier to motivate and program for inmates who have an indeterminate sentence.

AUSPICES Pennsylvania Prison Society

SUBJECT Transfer of Mentally Disturbed Prisoners

DESCRIPTION

The Pennsylvania Prison Society feels that legislation should be passed which would facilitate the transfer of mentally disturbed prisoners from correctional institutions to state mental hospitals.

AUSPICES Bureau of Corrections

SUBJECT To Reintroduce S-725 of the 1963 Session Providing for Transfer and Retransfer of Psychotic and Pre-Psychotic Inmates to Farview or other State Mental Hospitals.

DESCRIPTION

The Commissioner of Mental Health and the Deputy Commissioner for Treatment of the Bureau of Corrections would have the authority to transfer and retransfer psychotic and pre-psychotic inmates from Bureau of Corrections institutions to State Mental Hospitals. This would be set up primarily to allow for treatment in the early stages of mental deterioration or illness. The Court would be excluded from any action, except in those cases where the inmate is considered to be mentally ill just prior to the expiration of his maximum term.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Workshop on Psychiatry and the Law

SUBJECT Pre-trial Psychiatric Examination

DESCRIPTION 1. It was unanimously agreed that a State-wide program should be established to provide for the administration of a program at the County jail level, to provide for the early psychiatric screening and evaluation, immediately following their arrest, of all individuals who give any indication at all of being mentally ill at the time of arrest. It was recognized that in order to effectuate optimum programming in this regard, a specialized facility should be made available on either a local county basis or regional basis for the evaluation and management of such cases pending trial or other disposition of the arrested person.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan Worshop on "Psychiatry and the Law"

SUBJECT Pre sentence Psychiatric Examination

DESCRIPTION It is recommended that in all cases of conviction of first offenders where the crime concerns the infliction of bodily harm or involves behavior that is potentially dangerous, for example arson, that the sentence should be suspended for a period of 90 days to allow for a psychiatric evaluation. Facilities for such an evaluation should include diagnostic facilities within the Bureau of Corrections of the Department of Justice in addition to those presently available within the Department of Public Welfare and elsewhere.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Adult Correctional Facilities
Ephraim R. Gomberg, Esq., Chairman

SUBJECT Facilities for Diagnosis and Care of Mentally Ill Offenders

DESCRIPTION

1. Diagnostic services to the courts of the Commonwealth should be provided by the diagnostic and classification centers of the Bureau of Correction at Philadelphia and Pittsburgh and by a new diagnostic facility that should be established to serve the central part of the state.

2. The Bureau of Correction should establish a facility for the diagnosis and treatment of state and county inmates suffering from mental illness and who are capable of benefiting from short-term treatment.

3. Legislation should be enacted to simplify and facilitate the transfer and retransfer between Office of Mental Health facilities and county and state correctional institutions of those inmates who suffer from chronic mental illness and who require long-term treatment.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Law and Mental Illness
Honorable Joseph Sloan, Chairman

SUBJECT Law and Mental Health

DESCRIPTION

1. It is recommended that psychiatric evaluations be provided for all persons convicted of crime prior to sentencing. It is further recommended that this be immediately implemented with respect to all persons convicted of felonies, and be ultimately expanded to include all persons convicted of all crimes. Facilities for such an evaluation should include diagnostic facilities within the Bureau of Corrections of the Department of Justice, in addition to those presently available in the Department of Public Welfare. It is also recommended that when indicated and necessary such facilities should be established in coordination with educational institutions whose staffs can provide such service.

2. This task force fully recognizes the inadequate facilities and staffs which exist in the probation field and which thus interfere with and prevent any kind of effective programs from being established. It is strongly recommended that more adequate evaluation and treatment facilities be made available to the Pennsylvania Board of Parole and to Departments of Probation in the Commonwealth.

   The task force recognizes the need for assuring that qualified persons, with proper levels of training and experience, be in a position to offer mental health services to the public, and it is recommended that legislative action be taken which will allow for the protection of the public from non-qualified persons offering services.

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EDUCATION &
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3. The Professional Staff of the Board of Parole are directly involved in the complexities of abnormal human behavior. It is necessary in the long range program, that well trained personnel are available to fill supervisory positions made vacant by retirement, resignation or expansion of services.

4. The last major recruitment provided only (2) two College trained applicants out of twenty (20) who were hired.

ERS:gb

AUSPICES Juvenile Court Judges' Commission and The Pennsylvania Council of Juvenile Court Judges

SUBJECT Federal and State Scholarships for Probation Officer Trainees

DESCRIPTION

The Juvenile Court Judges' Commission and The Pennsylvania Council of Juvenile Court Judges recommend that a federal and state scholarship program in the Behavioral Sciences leading to both Bachelor and Graduate degrees be established for students who plan to make probation their vocation.

AUSPICES Juvenile Court Judges' Commission and
The Pennsylvania Council of Juvenile Court Judges

SUBJECT Development of a University Center for
Training of Correctional Workers

DESCRIPTION

The Juvenile Court Judges' Commission and the Pennsylvania Council of Juvenile Court Judges recommend that a University Center be established in Pennsylvania for the training of correctional workers. This University Center would not only provide pre-service training for correctional workers, but would be a center for the coordination of in-service training activity.

AUSPICES Pennsylvania Prison Society

SUBJECT Training and Education for Corrections

DESCRIPTION

The Pennsylvania Prison Society advocates the upgrading of personnel requirements for work in corrections, urges increased training and educational opportunities for correctional personnel, and supports the creation of a correctional center at Pennsylvania State University.

AUSPICES Pennsylvania Prison Society

SUBJECT Civil Service

DESCRIPTION

The Pennsylvania Prison Society has long urged the extension of civil service throughout the state and county correctional systems.

AUSPICES Pennsylvania Council on Correctional Staff Development

SUBJECT Education and Training for Corrections

DESCRIPTION

1. The Commonwealth should extend the recruit and in-service training opportunities it offers to personnel of local and county agencies.

2. The Commonwealth should encourage, through grants-in-aid, out-service education for local and county police and correctional personnel.

3. The Commonwealth should extend to all of its police and correctional agencies the same out-service and extended out-service (on leave of absence) opportunities now afforded to the employees of the Department of Public Welfare, and should provide ample funds in police and correctional budgets to implement these programs.

4. The Commonwealth should establish at the Pennsylvania State University a Center for Police and Correctional Services. This Institute would

   a. Offer associate and bachelor degrees and graduate courses to persons aspiring for a career in police or corrections, and to state, county, and local employees under out-service training arrangements described above.

   b. Be the university center for assisting the development of in-service training programs for the many public and private agencies dealing with the offender.

   c. Offer extension courses for employed workers who wish to increase their competence and skill.

   d. Be a forum for the exchange of ideas and experiences, and the developing of philosophy and program.

   e. Be a center for research into new police and correctional methods and validation of old.

AUSPICES	The Pennsylvania Citizens Council The Pennsylvania Prison Society The Pennsylvania Council on Crime & Delinquency The Philadelphia Crime Commission
SUBJECT	Education and Training for Corrections
DESCRIPTION	By letters to President Walker at Pennsylvania State University, the above-mentioned non-profit organizations have endorsed the concept of a Center for Police and Correctional Services.

AUSPICES Pennsylvania Citizens Council

SUBJECT Training of Correctional Personnel

DESCRIPTION

The Pennsylvania Citizens Council recommends that increased in-service training and institutes be developed by the Commonwealth for all Court and Correctional personnel and other individuals, including juvenile court judges, who work with delinquent children and youth, as well as training of correctional workers for work with juveniles through educational leaves with payment of tuition and stipend.

AUSPICES Crime Commission of Philadelphia

SUBJECT Collection and Tabulation of Uniform Data on Law Enforcement

DESCRIPTION

This is a current study of the Joint State Government Commission supported by the Crime Commission. It is hoped that recommendations will be submitted to the Legislature in the current session. The Crime Commission has actively supported the study and has called for the development of uniform data collecting, tabulating and reporting for all branches of law enforcement including police, minor judiciary, courts of record, county probation, county prisons and jails, state penal institutions, state parole and pardons.

AUSPICES Bureau of Corrections

SUBJECT To Amend the Administrative Code of 1929, Section 2330 (Act No. 564, September 14, 1961) Giving the Bureau of Corrections Authority to Train Employees and Reimburse Them for Tuition, Fees, Expenses, etc.

DESCRIPTION

The above Section gives the Department of Public Welfare authority to train employees and to pay tuition fees, etc., and a salary during a specific period. The employees sign a contract indicating that they will give a year of service to the State for each year of training which they receive. The Section also gives the Department of Public Welfare permission to accept or use funds provided by the Federal Government to finance all or any part of this type of program.

At the present time the Bureau cannot compete for qualified persons, particularly those requiring special training and experience in technical and professional fields, such as clinical psychologists, social workers, registered nurses, etc. It is our thought that with legislative permission to send selected employees to school and to give them opportunities to obtain special training and education, that we may be able to recruit and train our employees in a much more competitive fashion.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Adult Correctional Facilities
Ephraim R. Gomberg, Esq., Chairman

SUBJECT Training for Personnel working with Mentally Ill Offenders

DESCRIPTION Both the corrections and mental health fields lack personnel. Training and recruitment of manpower will continue to be the number one problem in the correctional field; this problem is aggravated when related to the training of personnel in the field of correctional mental health.

1. Training should be provided to police, justices of the peace, magistrates, aldermen, district attorneys, non-professionally trained probation and parole officers and custodial personnel in correctional institutions in the early identification of mental illness and the proper handling and referral of mental cases to appropriate agencies and institutions. Responsibility for the provision of these services, while properly belonging within the Bureau of Correction, should be undertaken initially by the Office of Mental Health of the Department of Public Welfare.

2. In counties where community mental health centers are established such centers should be utilized for the purpose of training law enforcement and correctional personnel.

3. Where community mental health centers are not available training should be provided to State and county law enforcement and correctional personnel by circuit-riding trained staff of the Office of Mental Health of the Department of Public Welfare.

4. The Commissioner of Mental Health in cooperation with the Commissioner of Correction should be responsible for encouraging general hospitals, psychiatric institutions, medical schools, graduate schools of social work, colleges and universities to include in their training programs the consideration of character disorders in a correctional setting.

AUSPICES Comprehensive Mental Health/Mental Retardation Plans
Task Force on Recruitment and Training
Dr. Jack W. Birch, Chairman

SUBJECT Recruitment and Training

DESCRIPTION

1. State legislation should be enacted to provide an adequate financial base for the total recruitment and training program, including funds for establishing centralized governmental administration, for providing public and professional information, research and service facilities.

2. A major comprehensive research program should be developed whereby existing facilities that currently render health supervision and/or offer educational, custodial and/or guidance services or provide professional training for workers in the field would be contacted to ascertain from them their existing and projected needs relative to number and type of personnel.

3. Centers should be established on university campuses with affiliations among appropriate academic disciplines and health-related institutions, wherein interdisciplinary training, research, and demonstration may be fostered and taught. Such centers should ultimately provide a pool of nonprofessional as well as professional personnel qualified and certified in the prevention and diagnosis, education or placement of the mentally retarded.

4. Extensive pre- and post-doctoral scholarship, fellowship, traineeship, and internship programs should be established to attract members of various professions and disciplines for specialized short-term and long-term training in mental retardation at existing universities currently involved in work with the mentally retarded as well as at the newly conceived training centers.

5. The academic institutions preparing students for the fields of education, medicine, and health-related sciences should be encouraged to include specialized content dealing with mental retardation in their courses in undergraduate, graduate or post-graduate curricula.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Professional Education
Dr. George Huganir, Chairman

SUBJECT Professional Education

DESCRIPTION

1. A State-wide Commonwealth grants-in-aid program should be established for the training of mental health workers. Such a program would not be associated with any one specific institution of higher learning.

2. The Commonwealth should provide funds for the "continuing education" of professionals employed in the mental health fields. Such a program would keep practicing professionals abreast of the latest information in their respective fields. "Continuing education" should be in the form of on-sight programs or courses as part of a general educational program of the particular institution; individual faculty members associated with universities might be interested in developing such courses to be given on sight.

3. The Commonwealth should provide appropriate support - financial and otherwise - for pilot programs designed to produce new personnel in the mental health fields. Continuous evaluation of this pilot program would be necessary so as to guard against obsolescence of the educational efforts.

4. The Commonwealth should support strong on-the-job training programs in the institutions for students in relevant basic areas. It is suggested that these programs should provide opportunities for both undergraduate and graduate students. Training could be provided during the summer, full time for undergraduates, and perhaps during the regular academic year on a part-time basis. Substantial stipends in this effort should be granted to students in anthropology, psychology, sociology, and social work, as well as for medical students. It is believed that this kind of experience would ultimately result in the recruitment of a goodly number of mental health workers.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Children and the Juvenile Court

SUBJECT Training of Correctional Personnel

DESCRIPTION 1. All juvenile courts should meet to the employment and personnel standards developed by the Juvenile Court Judge's Commission.

2. On-going in-service training opportunities for probation officers available through the several State Departments and professional associations should be expanded.

3. Interest and efforts by the State Council of Human Services and the Pa. Council of Correctional Staff Development to establish a university center for the preparation and in-service training of correctional personnel should be pursued to a successful conclusion.

4. A program of state and federal scholarship funds and juvenile court internships for the graduate and undergraduate training of juvenile probation officers should be established (Same as Recommendation II-E-2-4). Legislation required.

AUSPICES Comprehensive Mental Health/Mental Retardation Task Force on Rehabilitation Facilities
Dr. James Harris, Chairman

SUBJECT Training

DESCRIPTION

It is recommended that a high-priority be given to the development of a plan for training, recruitment, and development of specialized staff. It is also recommended that two training centers be established, one in the western Pennsylvania area, and one in eastern Pennsylvania, each connected with the graduate departments of a major university in the Commonwealth.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Task Force on Community Health Centers
Dr. J. Martin Myers, Chairman

SUBJECT Professional Education

DESCRIPTION

1. Provide more funds for training of professionals and para-professionals.

2. We would like to recommend financing for traveling fellowships to provide exchange of information from mental health centers in other countries. We feel this would be of value in stimulating new concepts in patient care.

3. Recognizing that a major portion of money will be provided by central government over the ten-year period, we recommend a policy of allocating matching funds at the community level rather than at the State level.

NO RECOM-
MENDATIONS

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AUSPICES Pennsylvania Association for Retarded Children

SUBJECT No Proposal

DESCRIPTION

Although this Association has interests in correctional matters, and especially the Institution for Defective Delinquents at Dallas, it has no current proposals.

AUSPICES Fraternal Order of Police

SUBJECT No Proposal

DESCRIPTION

The Fraternal Order of Police has no proposal directly related to the area of interest covered by this report. It might react to legislation concerning its areas of interest.

AUSPICES Committee on Abolition of Penalty of Death

SUBJECT Capital Punishment

DESCRIPTION

The Committee expects a bill or bills to be introduced on abolition, and it will probably support them.

AUSPICES	Pennsylvania Chiefs of Police Association
SUBJECT	Proposed Legislation Regarding Correctional Matters
DESCRIPTION	The Pennsylvania Chiefs of Police Association is not introducing any legislation of their own. However, they intend to react to proposed legislation that may be introduced, specifically any of the laws that may be introduced proposed by the American Law Institute.

AUSPICES	The Pennsylvania District Attorneys' Association (Jacques Fox, Esq., President)
SUBJECT	No Proposal
DESCRIPTION	Jacques Fox, Esquire, President of the Association reports that the District Attorneys' Association has no proposals or recommendations at this time. However, it may respond to specific proposals should it seem desirable.

AUSPICES Pennsylvania Association of Trial Judges
Honorable BurtonLamb, Chairman

SUBJECT No Recommendation

The Trial Judges' Association has formulated no recommendations, but might respond to proposed legislation.

AUSPICES Comprehensive Mental Health/Mental Retardation Plan
Workshop on Psychiatry and the Law

SUBJECT Capital Punishment

DESCRIPTION It was the consensus of the majority of the group participants that the Legislature of the Commonwealth of Pennsylvania abolish capital punishment.

TASK FORCE AND ADVISORY COMMITTEE
PENAL INSTITUTIONS
JOINT STATE GOVERNMENT COMMISSION

RECOMMENDATIONS TO JOINT STATE GOVERNMENT COMMISSION

November 18, 1964

In the 1961 and 1963 sessions of the General Assembly the Joint State Government Commission was directed, by resolution, to study the correctional systems of the Commonwealth and to submit recommendations to the General Assembly. Pursuant thereto an interim report of the Advisory Committee was submitted in 1963.

With the continuation of the study in 1963 and 1964 certain revisions were made in the recommendations previously submitted and new recommendations were added. The instant report was approved unanimously as the recommendations of the Task Force and Advisory Committee on June 30, 1964.

Crime is one of the Commonwealth's costliest problems. Its toll in human life and property is huge. It respects no boundaries of town, county or state. In 1963 there were more than 87,000 serious crimes committed in the Commonwealth and three or four times as many lesser offenses that resulted in arrests. The total of undisclosed crimes is said to exceed by many times those which are made known to authorities.

Pennsylvania's contribution to the science of corrective penology in modern times has been negligible. Crime flourishes despite the monumental investment of cities, counties and the state in maintaining the instruments of law enforcement. At least $150,000,000 annually goes into the operations of agencies of government directly and indirectly involved in the law enforcement process.

The business of dealing with crime is confined to no single agency or department of government. The Executive, Legislative and Judicial branches of government are directly involved. The police, sheriffs, justices of the peace, courts of record, probation staff, prisons and jails and parole share in protecting society, punishing the criminal and attempting to transform the offender into a law abiding citizen. If the success of their efforts is measured by the crime rate all that they are doing is not enough.

It was the abortive prison break at the State Correctional Institution at Philadelphia in January 1961 that brought about the initiation of this study. Disasters and crises all too often have led to studies the recommendations of which have been forgotten along with the crisis or disaster on which they were based. And despite intermittent studies and recommendations, growth of the prison system of the Commonwealth has been fortuitous and expedient rather than the product of comprehensive planning. There has never been an overall plan for dealing with criminals from apprehension to eventual release.

At the invitation of the Joint State Government Commission a Task Force of legislators and an Advisory Committee of highly qualified citizens aided by the American Foundation undertook a variety of studies related to state and county penal institutions, probation and parole. The product of these studies represents an important contribution to long range penological planning for the Commonwealth.

The purpose of these recommendations is to develop a correctional system designed to protect society and to affect a change in criminal attitudes. They deal with penal institutions, probation and parole, and with county prisons and jails in that order. Each recommendation is supported by a summary statement drawn from voluminous data developed by the Task Force and Advisory Committee. Recommendations which can be given effect by administrative action only are so indicated. All other recommendations will require legislative authorization.

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PENAL INSTITUTIONS

RECOMMENDATION 1 - While there is no need in the foreseeable future for a new maximum security type prison in Pennsylvania, there is immediate need for wide expansion of new adult treatment facilities of minimum, unwalled character for the better risk, properly screened inmates. Accordingly, there should be developed the following new facilities:

A. A system of state agricultural and forestry camps, low in construction costs, where inmates can be employed on agricultural, conservation and forestry projects of the state.

B. Several "satellite" facilities for good risk inmates who would work in and on the grounds of non-penal institutions while living under the supervision of the Bureau of Correction.

C. Specialized training facilities for selected youthful offenders whose adjustment on release would be accelerated by such special training.

SUPPORT - The prison system of the Commonwealth consists of eight institutions and approximately 8,000 inmates. Most of the institutions were constructed and designed to serve inmates requiring maximum security. The current cost of construction of maximum security prisons ranges from $15,000 to $20,000 per inmate. Pennsylvania has more than enough such maximum facilities and no new ones are needed.

In the absence of low-cost minimum security facilities Pennsylvania has housed minimum risk prisoners in costly maximum risk cells. As the prison population expands construction of new facilities, with the single exception noted in RECOMMENDATION 5 should concentrate on low-cost minimum custody structures such as the Task Force and Advisory Committee viewed in Michigan and New Jersey, and such as are to be found in at least 16 states. In such facilities inmate adjustment is accelerated, inmates engage in constructive work programs and they represent no threat to the surrounding communities. These facilities can be constructed at a unit cost of from $750 to $2,500. They should house no more than 200 inmates each. They can be built for not more than $500,000 each in various parts of the State. Their construction should be projected over several years so that the Commonwealth can develop a network of low-cost facilities for minimum risk prisoners who represent approximately one-third of the prison population.

RECOMMENDATION 2 - One or more pre-release centers should be constructed, designed to prepare inmates, prior to their release, for re-entry into the community. (Administrative)

SUPPORT - The Michigan Parole Center, established in 1952 at a cost of approximately $300 per bed for the 128-man capacity, favorably impressed the Task Force and Advisory Committee who visited it. About 1,300 inmates eligible for parole are processed through the center each year. Each inmate stays for four weeks: 12 days in pre-parole classes, and the remainder in conservation and maintenance work. The stay at the center is designed to bridge the gap from institutional living to civilian life, and the classes include discussion with outside authorities about problems such as employment, alcohol, mental and emotional conflicts, community adjustments, family relationships, and attitudes toward law-enforcement officers. Similar centers are to be found in several other states.

RECOMMENDATION 3 - The State Correctional Institution at Pittsburgh should be retained but its "house" population should be reduced to approximately 500 inmates beyond the number of persons at any one time in the Western Diagnostic and Classification Center. (Administrative.) Adjoining land should be acquired by the state as a buffer zone and for other purposes.

SUPPORT - The Devers Committee, in its 1953 report, recommended reduction of the "house" population at Eastern and Western to 500 each. In its follow-up report, (1954), it stated, "We again repeat that a 'house' population of 500 or less is to be desired at both Eastern and Western." The Bureau of Correction would like to reduce the population to 500, thus permitting discontinuance of the top tiers in the cell blocks which are difficult to supervise. Better classification of the men within the institution and greater employment of inmates would also be possible with a reduced population.

RECOMMENDATION 4 - The State Correctional Institution at Philadelphia should be discontinued as a maximum security prison for maximum security general prison population cases and the present "house" population of this institution should be redistributed to other institutions of the Bureau of Correction.

SUPPORT - The current study was initiated after an abortive prison break at Eastern in January 1961, an incident that once again focused attention on the fact that "Cherry Hill", as it is known, was built in 1829. Housing up to 1,100 inmates, 400 of them in the Diagnostic Center, Eastern is an archaic facility with a huge 35-foot stone wall enclosing 10 acres. Office space is at a premium, work, training and recreation areas are inadequate and maintenance and modernization are continuing management problems. Comprehensive justification for abandonment of the site will be found in the data supporting RECOMMENDATION 5.

RECOMMENDATION 5 - There should be established a correctional facility for criminological diagnosis, classification, social and psychological treatment and research, medical treatment and staff training. This facility should be located in the Philadelphia area, constructed and operated in accordance with the recommendations of The American Foundation, on a site with an area of not less than 75 acres and within a radius not in excess of 30 minutes travel time from the center of Philadelphia.

SUPPORT - The Task Force and Advisory Committee believe that this recommendation is deserving of top construction priority. Support for and a comprehensive description of the proposed facility will be found in the attached summary report of The American Foundation, "A New State Correctional Institution in the Philadelphia Area." This summary report is supported by several studies of The American Foundation all of which have been reviewed by the Task Force and Advisory Committee. These studies can save the Commonwealth at least $100,000 in architectural study and planning and at least one year of architectural time that would be necessary to replace Cherry Hill.

The studies on which the summary report is based are as follows:

"Principles for the Development of an Integrated System of Correctional Institutions and the Evaluation of the Pennsylvania System Based Upon Those Principles", The American Foundation Studies in Corrections, December 1963.

"The County Jails and Prisons of Pennsylvania" by Frank Loveland, Consultant, The American Foundation Studies in Corrections, 1963.

"Data Concerning Persons Confined in the County Jails and Prisons of Pennsylvania on February 20, 1964" compiled by The American Foundation, April 22, 1964.

"Proposal for a Correctional Institution to Replace the Existing Eastern State Correctional Institution, Philadelphia", The American Foundation Studies in Corrections, May 1964.

"Description of Program and Architectural Requirements for a New State Correctional Institution in the Philadelphia Area", The American Foundation Studies in Corrections, June 1964.

"Recommended Personnel Complement for a New State Correctional Institution in the Philadelphia Area", The American Foundation Studies in Corrections, June 1964.

"A Statistical Analysis of Admissions to State Prisons in Pennsylvania", The American Foundation Studies in Corrections, June 1964.

COUNTY PRISONS AND JAILS

RECOMMENDATION 1 - The Commonwealth should establish a system of regional correctional facilities each limited to approximately 150 prisoners, and geographically distributed throughout the state. Such regional facilities should have diversified and specialized programs of treatment and rehabilitation. The institutions may be constructed or may be acquired by agreement with the local authorities by purchase or lease of presently existing county jails. These regional facilities should be administered by the Bureau of Correction as part of the State Correctional System.

SUPPORT - The purpose of this recommendation is to relieve the pressure on counties which have been required to assume the impossible task of correcting criminals without having the physical or treatment means at their disposal. Most of Pennsylvania's 70 county jails (with their 7,000 inmates) are archaic and unsatisfactory for anything other than limited detention and custodial care. Several counties are building or projecting expansive replacements or additions but meanwhile Pennsylvania has no modern or sound policy defining the appropriate place of the county jail in a state-wide correctional system.

County jails range in population from Philadelphia with more than 3,100 to Sullivan which averages less than a prisoner a day. The jail population consists of sentenced prisoners, persons committed in default of the payment of fines or costs, unsentenced prisoners awaiting trial or other disposition, and prisoners held for various local, state and Federal agencies.

Of the 70 county jails, 46 were built more than 50 years ago with little or no modernization or remodeling since construction. The tried and the untried are held together in most county institutions. Pennsylvania is unique in that convicted prisoners may be committed for long terms to certain county jails rather than state prisons under special legislation dating from the early 19th Century. Consequently long term prisoners are being committed to county jails many of which are devoid of programs that attempt to change criminal attitudes.

For almost fifty years there have been discussions, recommendations, and even legislation (1917, 1919, 1929) on ways to establish regional correctional facilities under joint county operation. Not one has been developed.

RECOMMENDATION 2 - Legislation should be enacted providing that when such regional facilities are in existence all persons sentenced to maximum terms of two years or more shall be sentenced to a state institution.

SUPPORT - When state regional facilities are available the Bureau of Correction must develop institutional programs comparable to those in all other state penal facilities and designed to prepare inmates for eventual release. The only way that this can be accomplished is to establish such programs uniformly under state supervision. Sentences of less than two years would be served in county jails except as provided in RECOMMENDATION 5.

After adoption of the regional jail system it is expected that each county would require local jail facilities, either presently existing or small new facilities for housing:

a) persons charged with a crime and held temporarily for hearing or for trial in the absence of bail.

b) convicted persons serving sentences of less than six months imposed by justices of the peace in summary cases.

c) convicted persons serving sentences of less than six months maximum for misdemeanor or felony.

d) convicted persons serving sentences having a maximum of six months to two years where the Bureau of Correction has classified the local jail facility as adequate and where the judge prefers to use the local jail or prison.

It is believed that much confusion could be eliminated if legislation is adopted whereby all county jails and prisons would be denominated "jails", and laying out a uniform statutory basis for controlling the operation of all jails, thus bringing to an end the special acts now in effect for various counties.

RECOMMENDATION 3 - Existing special legislation which permits certain counties to operate county prisons and to receive from courts persons convicted of crimes for which the penal code provides for sentences to state correctional institutions should be repealed, except that as to the first and second class counties the repeal should occur only after the Governor proclaims that adequate facilities exist in the state system.

RECOMMENDATION 4 - Legislation should be enacted which will extend the present powers of the Bureau of Correction with regard to establishment of standards and inspection of county jails to include standards and inspection as to correctional programs of treatment, education and rehabilitation.

RECOMMENDATION 5 - Legislation should empower the Bureau of Correction to classify those jails meeting necessary standards as eligible to receive prisoners sentenced to maximum terms ranging from six months to two years.

RECOMMENDATION 6 - In county jails so classified by the Bureau of Correction as suitable for prisoners with sentences up to two years, the sentencing court will have the option of committing offenders with maximum sentences of less that two years either to the county jail or to a state institution.

RECOMMENDATION 7 - The population of the Allegheny County Workhouse committed from counties other than Allegheny shall be transferred to state institutions as facilities become available. The remaining population of the Allegheny County Workhouse, consisting of inmates committed from Allegheny County, shall remain in such county institutions, whether the Workhouse or the Allegheny County Jail, as shall be determined by Allegheny County and under the conditions provided in RECOMMENDATION 6 regarding classification of county jails.

RECOMMENDATION 8 - That the Act of July 11, 1923, P.L. 1044, Section 1, entitled "an act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners, under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," as amended by the Act of July 29, 1953, P.L. 1449 (Act No. 419), providing that upon the petition to the Deputy Commissioner for Treatment of the Bureau of Correction in the Department of Justice...by the board of inspectors...the superintendent or official in charge... the Deputy Commissioner is authorized to furnish proper and sufficient accomodations for the care, custody, control and safety of inmates, be further amended to include untried prisoners with the consent of the defendant and convicted but unsentenced prisoners held in county jails.

RECOMMENDATION 9 - That the Legislature be requested to initiate a study of the administration of county jails.

PROBATION AND PAROLE

RECOMMENDATION 1 - State-administered probation services should be provided to the courts of the Commonwealth upon request of the court when the court cannot or chooses not to provide its own service. State services should include the making of pre-sentence investigations and the supervision of probationers.

SUPPORT - Probation in Pennsylvania is administered almost exclusively by court-appointed probation officers paid by the county and working under the direction of the court. But probation is used less than in most other states although it is recognized as perhaps the best rehabilitative technique available to the courts.

Although probation costs from one-eighth to one-tenth of the cost of keeping an inmate in an institution, Pennsylvania has a very low rate for the use of probation. Offenders are sentenced largely without benefit of pre-sentence investigation, there are too few probation officers available to the courts, salaries are low, and probation officers with few exceptions have had no special training.

Pre-sentence investigations are considered indispensible in the classification and treatment of convicted criminals. But in Pennsylvania less than three percent of felony convictions are followed by pre-sentence investigation reports as compared with 85 percent in the United States District Courts and an even higher rate in many state court systems.

Pennsylvania's county-administered probation system has serious shortcomings long publicly recognized. The current state pattern is further complicated by the fact that Pennsylvania law permits the State Board of Parole staff, on the request of county court, to supervise probationers but not to make pre-sentence investigations and reports. There is much support in Pennsylvania for a mandatory state-administered probation system. Many experts believe that the full potential of probation will never be achieved unless responsibility for the service is transferred from county courts to a state agency. While recognizing there is merit in this position the Task Force and Advisory Committee concluded that substantial gains would be achieved in Pennsylvania if the permissive system described in this RECOMMENDATION received Legislative authorization.

The purpose of this recommendation is to permit retention of county-administered probation where the court feels that the county can meet appropriate standards but to supplement such service with State services on the request of the court.

RECOMMENDATION 2 - Responsibility for the State-administered probation service should be vested in the Board of Parole which should be known hereafter as the Board of Probation and Parole.

SUPPORT - Rather than create an independent agency to administer probation the responsibilities of the present Board of Parole would be expanded and its name changed. In effect, this proposal is only an extension of the present limited responsibility for probation which the law has given to the Board of Parole. Board of Parole services calling for the supervision of probationers are currently used by county courts in 350 cases.

RECOMMENDATION 3 - The jurisdiction of the Board of Probation and Parole should include the making of pre-sentence investigations at the request of the courts in addition to the supervision of probationers as now authorized.

SUPPORT - Pre-sentence investigations and the reports based on them are just as essential in the control of crime as prison walls and bars. Without such comprehensive social histories of the criminal the court is compelled to impose sentence after conviction without a full understanding of the criminal. The judge has had access to a police report but little else that would guide him in determining the disposition he ought to make.

The need for pre-sentence investigations is particularly obvious in the case of criminals who are convicted of the more serious crimes calling for imprisonment in State penal institutions. Under the law these convicted criminals are sent to the Eastern or to the Western Diagnostic Correctional and Classification Centers (Philadelphia, Pittsburgh). When there has been no pre-sentence investigation they wait in these centers in comparative idleness while some background information is accumulated. This period of idleness has lasted as long as three or four months and is caused in part by the fact that no pre-sentence investigation has been made.

When the criminal is eligible to apply for parole the Board of Parole is required to undertake an investigation and to develop a social history that will guide it in deciding whether or not to grant parole. But this occurs after the criminal has been in a penal institution often for as long as five or ten years and the facts that would have been adduced through a pre-sentence investigation often are no longer available. Thus the absence of a pre-sentence investigation report handicaps the Board of Parole just as it does the classification and diagnostic center and the court itself. The recommendation would authorize the Board of Probation and Parole to add the making of pre-sentence investigations to its present responsibility for supervising probationers on the request of county courts and to expand both services.

RECOMMENDATION 4 - The Board of Probation and Parole should consist of five members representing an increase of two over the present Board of Parole. The full term of a member should be six years, with staggered terms so that no complete change-over of the membership is possible in any one given year. The salaries of the members of the Board of Parole should be brought into line promptly with salaries paid other state officials having comparable qualifications, responsibilities and duties and Legislative or Constitutional restrictions thereto should be removed.

SUPPORT - When it is recognized that the three members of the Board of Parole are involved personally in more than 7,000 decisions a year and that the majority of these decisions require personal interviews in widely separated parts of the State the extent of the workload becomes apparent. The task of passing judgment on 3,500 applications for parole annually with the accompanying examination of files, study of histories, interviewing of relatives and witnesses, correspondence with sentencing judges and district attorneys requires the addition of at least two members to the present board. Expansion of responsibilities through the creation of the Board of Probation, and Parole would provide ample justification for a five-member board.

RECOMMENDATION 5 - The Board of Probation and Parole should be directed by its chairman who should appoint the personnel necessary to conduct the business of the board. The Chairman of the Board of Probation and Parole should endeavor to secure the effective application of the probation system in all of the courts of the state and the enforcement of probation laws.

SUPPORT - No single individual or agency currently is responsible for securing effective application of the probation system in the courts of the State. The very absence of this responsibility in any single governmental agency is at the root of Pennsylvania's failure to use probation effectively. Probation officers in many counties of the State are used primarily for the collection of fines, support payments and other non-probation duties. The Commonwealth has never had a single probation system. Rather it has as many differing probation systems as there are counties and often as many differing systems within counties as there are judges. Centralization of responsibility for stimulating the development of a uniform probation system throughout the Commonwealth is a first step in building a sound correctional program. Selection of State personnel should be under a merit system equivalent at least to that now effective in the Board of Parole.

RECOMMENDATION 6 - The Board of Probation and Parole should have access to all probation officers and records in all of the criminal courts of the Commonwealth.

SUPPORT - Uniform data on the use of probation has never been available in Pennsylvania. As a consequence the measurement of results of probation has been extremely difficult if not impossible. Access to probation records, their compilation and anaylsis would mean that data developed in one county would become available to the entire state. Thus a criminal on probation in one county who committed a subsequent offense in another county would be much better known to the sentencing judge and to prison authorities.

RECOMMENDATION 7 - The Board of Probation and Parole should collect and maintain a complete file of all pre-sentence investigations, under such limitations as may be established by the Board of Probation and Parole, made by all probation officers throughout the state whether employed by the state or the respective counties. It should collect and compile and publish statistical and other information relating to probation work in all courts and such other information as may be of value in probation service.

SUPPORT - The problem of the limited use of pre-sentence investigation reports in Pennsylvania is further aggravated by the fact that even when they are available their use is often limited to the court for which they were made. When a state agency becomes the depository for all pre-sentence investigation reports that have served their initial purpose in the courts their usefulness will be extended many times. By maintaining a complete file of all pre-sentence reports the Board of Probation and Parole would be developing a library of information about criminals second to none in the Commonwealth. The regular publication of statistical data on probation would, for the first time, provide a yardstick to measure the effectiveness of probation. Today there is no source of information to acquaint the judges of the Commonwealth with state-wide results in the use of probation.

RECOMMENDATION 8 - Probation officers of county courts should submit such reports as may be required by the Board of Probation and Parole on forms prescribed and furnished by the Board of Probation and Parole.

RECOMMENDATION 9 - A pre-sentence investigation should be mandatory in each case wherein the statutory maximum sentence of imprisonment is for two years or more.

SUPPORT - The federal courts as well as the court systems of many of the more progressive states provide for mandatory pre-sentence investigations in felony cases. The reason for this is that without a pre-sentence investigation study being made the judge is imposing sentence on a "hunch" basis. Under the regulations of the Federal Court system the probation staff is required to develop a pre-sentence investigation study in every case unless the judge specifically states that he will not require such a report. Since only three percent of Pennsylvania convictions (1957) were followed by pre-sentence investigation studies it is safe to say that far less was known about criminals convicted in this state than in other states or in the Federal system where pre-sentence studies were made in from 85 percent to 95 percent of convictions.

RECOMMENDATION 10 - A pre-sentence investigation may be required at the discretion of the court in cases wherein the maximum sentence of imprisonment is for less than two years. (Administrative).

SUPPORT - Simply because the offense committed carries a penalty of less than two years is no reason to assume that the criminal's background might not require intensive study. When probation is developed adequately in the state judges will be more inclined to make use of this investigative service. They should be able to call for a study and report regardless of the penalty imposed by statute as long as they feel that the report will be helpful to them in disposing of the case.

RECOMMENDATION 11 - The Board of Probation and Parole should establish and enforce the standards for (a) the pre-sentence investigation, (b) the supervision of probationers, (c) the qualifications for probation personnel, (d) minimum salaries, and (e) quality of probation service.

SUPPORT - The Task Force and Advisory Committee felt that improvement in probation in the Commonwealth will depend largely on establishment and enforcement of state-wide standards. Standards for supervision of probationers will determine under what conditions supervision must be intensive for the protection of society as well as for the reformation of the probationer and when it can be infrequent and casual. Regrettably most probation supervision in Pennsylvania is of the latter type affording no real protection to the community and offering little help to the probationer. Qualifications for probation personnel are meaningless unless minimum salaries commensurate with the qualifications are provided.

RECOMMENDATION 12 - A state system of grants-in-aid to county courts should be established to permit the employment of additional county probation staff for pre-sentence investigations and for probation supervision provided that such staff and program meet the qualifications and standards established by the State Board of Probation and Parole.

SUPPORT - It is relatively meaningless to require conformity to state standards without providing some inducement or assistance in meeting those standards. For the past two or more years such grants-in-aid have been provided by the Department of Public Welfare to county juvenile courts for the purpose of strengthening probation services to the juvenile court. Conditions required to qualify for such grants were established by the Juvenile Court Judges Commission, a State agency. This recommendation extends a similar inducement to criminal courts to meet state-wide standards for personnel and operations as established by the Board of Probation and Parole.

RECOMMENDATION 13 - An advisory committee on probation to the Board of Probation and Parole should be created with representation from the legislative and judicial branches of government.

SUPPORT - Since state-wide acceptance of probation will require the full cooperation and participation of the legislative and judicial branches of government, of county officials and particularly county commissioners, an advisory committee would be a helpful instrument to achieve such acceptance. Such a committee would be essential in the formulation and promulgation of qualifying standards relating to probation personnel and services in the counties.

RECOMMENDATION 14 - The jurisdiction of the Board of Probation and Parole should be extended to inmates of county and state penal institutions whose maximum sentences provide for imprisonment of one year or more.

SUPPORT - Currently the Board of Parole has jurisdiction over the release of prisoners on parole from any state or county penal institution provided the sentence is for a term of two years or more. The responsibility for the parole of prisoners who are sentenced for less than two years is vested in the court. Accordingly there are two parole authorities in the Commonwealth - the Board of Parole and the courts. Since the paroles granted by the courts require supervision by county probation staff the quality of such supervision is limited. The transfer of jurisdiction in accordance with this recommendation would expand the responsibilities of the state parole agents but their recognized competence would give assurance of more effective supervision. Perhaps even more important, however, is the fact that more criminals convicted in the Commonwealth would be judged by the same parole standard rather than by a variety of standards as numerous as there are counties and judges.

RECOMMENDATION 15 - The Office of Mental Health of the Pennsylvania Department of Public Welfare should provide mental health services to the Board of Probation and Parole by the assignment of professional staff for diagnosis and evaluation, and for consultation and treatment of probationers and parolees. Units to provide such services should be established in the larger district offices of the Board of Probation and Parole and should be staffed by professional employees of the Office of Mental Health.

SUPPORT - Based largely on the successful experience of New York State this recommendation would, for the first time, provide psychological and psychiatric services to the Board of Parole. Equally important it would make possible the continuing examination and evaluation of parolees while they are on parole.

The unavailability of psychiatric services to penal institutions and to the Board of Parole has been a serious problem in Pennsylvania. The psychiatric needs of approximately 8,000 inmates of the Commonwealth's penal institutions are ministered to by only one full-time and seven part-time psychiatrists. Even the psychiatric services required in the diagnostic and classification centers are rigidly limited. Before mental health services are provided it is essential that highly specialized training of mental health personnel be undertaken by the Office of Mental Health, training to qualify such personnel for dealing with the special problems presented by the criminal population. Such intensive and special training preceded introduction of such a program in New York State.

While individual projects involving cooperation of the Office of Mental Health and the Board of Parole have been undertaken in the past they have been on a purely voluntary basis. The import of this recommendation is to establish a continuing service that would make possible the pre-release psychiatric diagnosis and evaluation of applicants for parole and the post-release consultation and treatment of parolees. The same services would be made available to probationers.

RECOMMENDATION 16 - The Barr-Walker Act, (Act No. 495 approved January 8, 1952) should be amended to extend the period of temporary confinement for psychiatric study from 60 days to 90 days. The Barr-Walker Act should be further amended to provide that the six-month periodic review (Section 7) should be changed after the initial interview to a 12-month periodic review.

SUPPORT - These changes are recommended by the Board of Parole and the Office of Mental Health of the Department of Welfare.

PAROLE BOARD LEGISLATIVE PROPOSALS TO THE COUNCIL FOR HUMAN SERVICES

The Board of Parole supports the following recommendations, listed in sequence according to priority:

1. The Board fully supports Recommendation No. 4 of the Joint State Government Commission's Advisory Committee report, to increase the Parole Board membership from 3 to 5, together with 6-year staggered terms, and salaries commensurate with those of other full-time boards and commissions.

2. It also supports, and strongly recommends, Recommendation No. 9. Pre-sentence investigation should be made mandatory in each case where the sentence of imprisonment is for two years or more.

3. Supports Recommendation No. 16, making amendments to the Barr-Walker Act as recommended by the Joint State Government Commission's Advisory Committee.

4. Supports Recommendation No. 15 of the Joint State Government Commission's Advisory Committee, whereby the Office of Mental Health, Department of Public Welfare, will provide mental health services to parolees and others under the jurisdiction of the Board of Parole.

5. Supports and recommends Recommendation No. 2 of the Joint State Government Commission's Advisory Committee, for a State-administered probation service, with subsequent recommendations Nos. 5, 6, 7, 8, 11, 12 and 13.

The Board of Parole opposes legislation that will grant release for other than parole purposes, by any authority other than the Parole Board. If you are going to have a uniform parole system, you can have only one releasing authority.